

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

## **ORDER**

On December 15, 2006, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is hereby ORDERED that:

1. The Recommendation (Doc. # 28) is ADOPTED.
2. The Motion for Summary Judgment of Defendant The Colonial BancGroup, Inc. (Doc. # 15) is DENIED.

DONE this 16th day of January, 2007.

/s/ W. Keith Watkins  
UNITED STATES DISTRICT JUDGE